

Remarks

In the application, claims 1 through 4, 6, 8-9, 11-23 and 25-39 are currently pending. No claims have been allowed.

The Final Office Action dated August 20, 2007, has been carefully considered. The Office Action rejects claims 1, 3, 4, and 6 under 35 U.S.C. § 103(a) as obvious in light of U.S. Patents 6,473,860 ("Chan") and 5,654,746 ("McMullen") and U.S. Published Patent Application 2001/0042043 ("Shear"). Claim 2 is rejected as obvious in light of Chan, McMullen, Shear, and U.S. Patent 5,845,067 ("Porter"). Claims 8 and 9 are rejected as obvious in light of Chan and Shear. Claims 10 through 22 and 24 through 38 are rejected as obvious in light of Chan, Shear, and U.S. Patent 6,237,786 ("Ginter"). Claims 23 and 39 are rejected as obvious in light of Chan, Ginter, Shear, and U.S. Patent 5,951,620 ("Ahrens").

Claim Amendments

Independent claims 1 and 8 are amended, without prejudice, to emphasize an embodiment in which, after the encrypted and unencrypted portions have been combined, the combined product is usable by the end user without further decryption.

In the interest of expediting the prosecution of the embodiments of independent claims 1 and 8, the other independent claims are cancelled, without prejudice.

No new matter is introduced by these amendments.

§ 103 Rejection

As discussed in the response to the previous Office Action, Chan discloses a system for distributing and processing digital information, such as a movie, that is separated into two portions. The first portion is a clear (unencrypted) portion, and the second (residual) portion is encrypted. The clear portion is distributed to customers while the residual portion is stored in a central station. (See, Chan: column 2, lines 44 through 55.) When the customer wishes to view the movie, the central station encrypts the residual portion and sends the encrypted portion and a decryption key to a secure processor of the end-user's processing unit. (See, Chan: column 11,

lines 1 through 20.) The secure processor decrypts the residual information using the decryption key. At the same time, the clear portion is sent to the secure processor from the general processor of the end-user's processing unit. The secure processor combines the data and reconstructs the original digitized movie data, and the result is sent to the video interface for viewing by the user. (See, Chan: column 11, lines 40 through 45.)

As recognized by the Office Action, Chan does not disclose storing the combined product on a portable computer-readable storage medium and providing this storage medium to the user, so that the user can access the combined product from the storage medium with a computer platform at a third location that is different from the first and the second locations. In contrast, Chan merely executes the combined digital content (that is, displays the movie) with the secure processor without storing the combined content. Chan does not allow the combined content to be used away from the secure processor. In fact, Chan specifically teaches away from storing the combined digital content and allowing the user to access the digital content away from the secure processor: Chan specifically teaches including analog copy protection in the video interface to prevent the analog output video from being copied. (See, Chan: column 11, lines 46 through 56.)

Shear teaches storing a data product on a portable computer-readable medium. However, Shear teaches protecting that product with an encryption key. (See, Shear: paragraphs [0279] through [0283].)

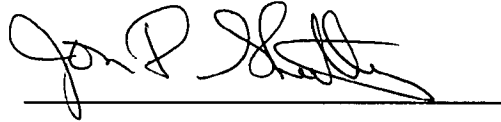
In the embodiment in claims 1 and 8, as currently amended, the security process is completed before the data product is written to the portable computer-readable medium. Thus, the end user no longer needs to decrypt the combined product. Chan and Shear in fact teach away from this as they both impose further security measures on the data product. Thus, pending claims 1 and 8, as currently amended, are patentable over the cited art because the cited references, separately or in combination, do not teach a method for securely delivering a data product that is then usable without further decryption by the user.

All currently pending dependent claims are patentable for at least the same reasons as given above for the independent claims.

Conclusion

The cited art neither anticipates nor renders obvious the currently pending claims. Thus, this application is considered to be in good and proper form for allowance, and the Applicant requests that the Examiner withdraw the rejections and pass this application on to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is invited to call the Applicant's representative at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon D. Shutter", is written over a horizontal line.

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